

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

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Date of mailing (<i>day/month/year</i>) 03 August 2006 (03.08.2006)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 8705/04 P	
International application No. PCT/IB2004/051715	International filing date (<i>day/month/year</i>) 08 September 2004 (08.09.2004)
Applicant RECTICEL N.V. et al	

1. Transmittal of the translation to the applicant.☐

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

☒

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

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The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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TRANSLATION**PATENT COOPERATION TREATY****PCT****INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 8705/04 P	FOR FURTHER ACTION	Sec. Form PCT/IPC/A/416
International application No. PCT/IB2004/051715	International filing date (<i>day/month/year</i>) 08.09.2004	Priority date (<i>day/month/year</i>) 09.09.2003
International Patent Classification (IPC) or national classification and IPC H01H21/08		
Applicant RECTICEL N.V.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.	
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>1</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4. This report contains indications relating to the following items:	CORRECTED VERSION
<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

PCT/IB2004/051715

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 1-7 _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☒ the claims:
 - nos. 2-8 _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* 1 _____ received by this Authority on 28.10.2005 by fax
 - nos.* _____ received by this Authority on _____
 - ☒ the drawings:
 - sheets 1/1 _____ as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (specify): _____
 - ☐ any table(s) related to sequence listing (specify): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (specify): _____
 - ☐ any table(s) related to sequence listing (specify): _____

If item 4 applies, some or all of these sheets may be marked "superseded."

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International application No.

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-8</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-8</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-8</u>	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
1. Prior art			
Reference is made to the following documents:			
D1: US-A-5 448 028 (GRIMES JOHN A ET AL) 5 September 1995 (1995-09-05)			
D2: EP-A-0 615 884 (CAVIS SRL) 21 September 1994 (1994-09-21)			
2. Novelty and inventive step			
Document D2 is considered the prior art closest to the subject matter of claim 1 and discloses (the references between parentheses refer to that document):			
an electric switch module comprising one or more (see figures 5 and 6) electric switches (1, 2) that are arranged on a base (15), at least one of which is designed as a push-pull rocker switch that has an actuating element (3) which is formed by an actuating projection (14) that is asymmetrical to the rocking axis.			

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The subject matter of claim 1 thus differs from the known switch module in that:
the upper side of the base together with the actuating elements for the switches is covered by a flexible outer skin, which also incorporates the projection that forms the actuating element of the at least one rocker switch.

The subject matter of claim 1 is thus novel (PCT Article 33(2)).

The present invention can therefore be considered to address the problem of devising an electric switch module in which the gap between the moving actuating elements and the cover is suitably sealed and in which the pull movement of the rocker switch is not restricted.

This problem is solved by the features of claim 1, according to which the upper side of the base together with the actuating elements for the switches is covered by a flexible outer skin, which also incorporates the projection that forms the actuating element of a rocker switch.

The provision of an incorporating outer skin means that the actuating member can be actuated by both a push movement and a pull movement.

The concept of providing an incorporating outer skin is novel and is **not obvious** either from the

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
	<p>prior art cited in the international search report or from the common general knowledge of a person skilled in the art.</p> <p>The subject matter of claim 1 thus involves an inventive step (PCT Article 33(3)).</p> <p>Claims 2-8 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.</p>